

Law Enforcement News

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Getting ready for Y2Kaos

Other than IACP & PERF reports, little police-specific information exists

By Jennifer Nislow
(Second of two parts.)

What would your department do if disaster struck — not your ordinary garden-variety disaster like civil unrest, a power outage or a dire weather emergency, but more like a combination of all these and more? If you're like most police agencies, dealing with the so-called Y2K computer problem, which some observers have likened to the ultimate worst-case disaster scenario, could mean that you're pretty much on your own.

With the exception of reports from the International Association of Chiefs of Police and the Police Executive Research Forum, little has been written about the Y2K issue that is aimed specifically at law enforcement. To fill in the gap, a number of agencies are adopting the guidelines for natural disasters prepared by the Federal Emergency Management Agency (FEMA). They are also relying on their own knowledge of their communities to give direction to their efforts.

FEMA recommendations will be extremely useful to departments in those areas of the country where weather will be a factor, such as Michigan and Wisconsin. FEMA offers an integrated emergency management course in Emmitsburg, Md., that teaches police and city officials to work in tandem with the Red Cross, the Salvation Army and other disaster-relief organizations. Lieut. Don McLellan of the Oakland County, Mich., Sheriff's Office, has taught a block of that training for the past 11 years.

McLellan likens the Y2K preparations being made by the Sheriff's Office to the planning it did when World Cup soccer tournament was held in the United States in 1994. Not knowing what to expect from possible soccer-hooligan crowds such as those common to Europe, the agency conducted several years of training and conferences with foreign law enforcement officials.

Law enforcement, McLellan told Law Enforcement News, has no obligation to find water or shelter for citizens. What it can and should do is conduct a dialogue with organizations to determine what specific actions within a police department's purview will help to get the lights back on and provide water, among other necessities. "Do you need an escort, do you need a perimeter, what is it you need from us?"

that is not the case, said McLellan, then residents need to go someplace that does. "Those are the things we are trying to convey to the public to help them help themselves," he said.

Departments should also be aware of the danger from gasoline storage in rural areas where homeowners are well acquainted with power outages and own their own generators, he added.

Appleton, Wis., Police Chief Rich-

weren't meant to heat whole houses."

Myers is also concerned that residents will store huge amounts of cash in their homes, and then consider arming themselves to protect their property. "It has snowball effect."

Appleton will also have a significant problem with cold if the gas and power should fail, said Deputy Chief Bryce Kolpack. The department is making a point of informing citizens about severe storm protection, irrespective of Y2K. "If you know a severe storm is coming, you should take precautions, regardless," he said. "That's the material we're sharing with the Red Cross."

Myers is confident, based on all available information, that there will be no massive outages of either electricity or natural gas in the city, but in playing the "what-if" game, it is apparent that the department has to play the role of informational resource, encouraging residents to think ahead and take care of themselves.

"What if the whole Midwest was just blacked out and had no gas?" the Chief observed. "There really is nothing local government or state govern-

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"What if the whole Midwest was blacked out and had no gas?"

said McLellan. "The Salvation Army can set up cantinas for water. The National Guard is another mechanism for providing things."

A rule of thumb that is guiding police departments — even those not involved with FEMA — is to make sure citizens have enough provisions, including food, water and a means of heating their homes, to last 72 hours. If

ard W. Myers, who is the past president of the group Police Futurists International, was quick to agree. There are some people who are going to be very afraid, he said, and will take the unlikely view that the world is going to end. "I worry about that because there are unsafe things happening; the storage of gasoline in garages, people relying on wood-burning devices that

Study finds police keeping their customers satisfied

There is clearly some disparity between the degree of satisfaction felt by white and black Americans toward their local police departments, but a study released in June by the Bureau of Justice Statistics found that overall, some 85 percent of residents queried in a 12-city survey reported they were well served by the men and women who police their neighborhoods.

"Criminal Victimization and Perceptions of Community Safety in 12 Cities, 1998, is the result of surveys

conducted in Chicago; Kansas City, Mo.; Knoxville, Tenn.; Los Angeles; Madison, Wis.; New York; San Diego; Savannah, Ga.; Spokane, Wash.; Springfield, Mass.; Tucson, Ariz., and Washington, D.C. According to BJS, the study is the first in 20 years that seeks to gather national data on victimization and community policing at the city level.

"Gathering data on crime and community policing at the local level not only supplements our national data, but

also allows local officials to identify their particular crime control needs," said Jan Chaiken, the bureau's director. "As part of the Justice Department's emphasis on police working with residents in their neighborhoods, we are giving local law enforcement agencies tools to learn more about crimes and public opinion that may not be reported to the police."

Among the key findings of the study was that crime victimization in all 12 of the cities surveyed was higher than the national average in 1997. In Chicago, the violent victimization rate was 68 per 1,000 residents 12 or older, compared with 51 per 1,000 in urban areas nationally. The highest rate was in New York, with 85 out of 1,000 residents becoming the victim of an act of violence.

The lowest level of victimization of the cities studied was in Washington, D.C., with 60 per 1,000 residents.

Washington and Savannah were tied for the highest property-crime victimization rate in the survey, with 445 crimes per 1,000 households. New York had the lowest rate of property crimes, with 260 crimes per 1,000 households.

Less than half of all violent crimes and property crimes — 35 percent and 34 percent, respectively — were reported to police, according to the study.

Gender and race both were factors in crime victimization, the study found. Men were more likely than women to be the victims of violent crimes — 93

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Seeking answers, casting blame over Cincinnati recruits' academic failings

What do you do with police recruits who can't pass the academic portion of academy training? Simple — er, simple: You fire them.

While the cause-and-effect connection may seem simple enough in the case of two Cincinnati recruits who washed out of the Police Department's 22-week training program even after taking final exams a second time, the repercussions of the episode have been anything but, with a move to upgrade the police academy's academic requirements and a proposal by a city councilman to require a writing sample as part of the application process.

According to public records released in June by Councilman Phil Heimlich, four recruits in a recent acad-

emy class could not spell words like "simple," nor could they write complete sentences.

"This was a case where a number of recruits were allowed to slide through who never should have been permitted to," Heimlich told Law Enforcement News. In one case, a recruit wrote eight formal explanations to the department about why he had failed quizzes, his midterms and a final exam. Two of the four with failing grades were graduated despite a memo from trainers asking the chief to fire them.

Another recruit was unable to complete a required 1½-mile run within the allotted time.

All candidates for the Cincinnati Police Department must have high

school diplomas. More than half of the 52 recruits in the recent class had some college, according to training director Ted Schoch, including at least one of the four recruits with failing grades, who had completed 118 semester hours.

For a number of years, Heimlich contends, the standards at the academy had been allowed to slip. There had been inadequate security of tests, copies of past tests in circulation and prep sessions using the actual exams, he said. With the influx of a new group of trainers at the facility, however, many of these problems were corrected and standards tightened, according to Heimlich.

"They ensured that anyone who became a police officer had the skills necessary," Heimlich said. "As a result of

that, there were a number of recruits who clearly were not cutting it from the very beginning. Looking over their papers, they were shocking. It was something you'd expect to see in a sixth grader."

The recruits performed so badly, he said, that a trainer actually recommended one of them be tested for learning disabilities.

The academy's training director insisted that the reports Heimlich referred to were not writing samples the recruits were being tested on. Nevertheless, Schoch agreed with Heimlich that the samples were "quite a surprise." They were not at the level he would expect of high school graduates, he told LEN

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Around the Nation

Northeast



CONNECTICUT — Gov. John Rowland has asked his Law Enforcement Council to investigate the frequency of fatal shootings by local police officers, and to determine whether investigations into those shootings are adequate. The state's police officers have been involved in eight deadly shootings in the past year.

New Haven Police Captain Janies Sorrentino admitted in a plea to bootlegging counterfeit videotapes that had been seized as evidence. He was set to be sentenced on Aug. 20. The 23-year veteran, who had returned counterfeit video tapes to a local retail store for a refund, was arrested last November.

Gov. Rowland has signed a witness protection bill in the wake of a slain 8-year-old murder witness. The bill was said to create the most complete witness protection program in the country. The boy, Leroy Brown Jr., was killed along with his mother, Karen Clarke, in their Bridgeport home in January.

After complaints of racial profiling, Trumbull officials promised to hire police officers from minority groups. A state law banning racial profiling will also go into effect on Oct. 1.

Three New Haven police officers were suspended without pay, two for allegedly having sex with a woman whom they picked up at a bar, and the third for failing to report the incident.

A satellite office of the state Department of Children and Families will be set up in the Troop F barracks of the state police to allow investigators to improve their response times in emergency situations.

DISTRICT OF COLUMBIA — District Council members say they will publicize the names and addresses of convicted local sex offenders.

MASSACHUSETTS — The conviction of Boston Police Officer Kenneth Conley was upheld by a Federal appeals court on July 26. Conley was found guilty of lying to a grand jury investigating the beating of Officer Michael Cox, a plainclothesman who was mistakenly beaten by fellow officers in 1995. To date, Conley is the only officer to be charged in the case.

More than 20 law enforcement agencies in the state have signed a resolution denouncing racial profiling. The state police chiefs association created the resolution, which says that departments will not endorse bias stereotyping of any kind.

NEW JERSEY — West New York police Sgt. Arthur Pena was convicted June 30 on Federal tax-fraud charges for failing to report bribes for protecting illegal businesses. Pena was found guilty of extortion in May, and will be sentenced Sept. 10.

Eight Newark police officers were arrested July 26 in the beating of a suspected child molester in a precinct holding cell. All had been suspended without pay July 1 for the attack on Manuel

Aldea, 23. Three probationary officers who were charged were terminated from the department.

Condell Woodson was sentenced to life in prison without parole June 29 for the killing of Orange Police Officer Joyce Anne Carnegie on April 8. Woodson, 25, claimed he was coerced into pleading guilty.

Harrington Park Officer Gary R. Stayback, a 29-year veteran, resigned in July while in jail on charges of sexually abusing five young girls.

A Morristown man, Stanton Crew, who was shot and killed by police on Interstate 80 on June 2, had no illegal drugs or alcohol in his system when he died, according to an autopsy report. Crew's relatives charged that a racial motive prompted the shooting, but videotapes taken from a police cruiser are said to show Crew, who is black, attempting to run over officers and ramming police cars in his Camaro.

NEW YORK — About 40 New York City 911 dispatchers protested working conditions on Aug. 1 outside the communications facility in Brooklyn. The protesters charged that calls routinely sit on hold for up to 20 minutes because there are not enough people to answer the phones. Dispatchers who refused to work overtime were said to have been threatened with loss of their jobs.

New York City Police Officer Michael W. Meyer was acquitted July 8 of criminal charges in the off-duty shooting of an unarmed squeegee man in June 1998. Meyer may still face departmental proceedings for shooting Antoine Reid during a scuffle after Reid attempted to wash Meyer's car windows. Meyer claims he acted in self-defense.

Among the 1,347 New York City police recruits who were sworn in July 7 were 39 who are older than the police age limit of 35. The older recruits entered the force when the age law lapsed in 1996, but were barred from completing Police Academy training when the law was reinstated in 1997. An exemption was later made for the 39 recruits.

New York police Sgt. Victor Araujo and Officer Vincent Contini have been charged with stealing counterfeit designer bags, sunglasses and watches from street peddlers and then reselling the merchandise. The alleged scheme to take goods confiscated from arrested street peddlers and force another street vendor to buy them began in July 1998, prosecutors said.

The family of Aurea Bonnie Vargas was awarded \$5.7 million on July 20 in a case involving police officers who fired 29 shots at an armed bank robber who used the 41-year-old woman as a shield during a 1993 gun battle. Vargas was killed after Mujahid Muhammed, 24, robbed a bank and fled during a wild chase. Muhammed was also killed in the shootout. Vargas' family argued that police were not trained to handle a situation in which hostage takers open fire on police.

George Bell, 22, was sentenced to life in prison without parole on July 27 for the murders of off-duty New York City Police Officer Charles Davis and a businessman during a 1996 robbery of a check-cashing store.

New York City Mayor Rudolph Giuliani's administration has reportedly said it would try to make crime scenes more open to the press. Under a proposed agreement, police would limit their use of barricades to keep reporters, photographers and camera crews away from crime scenes and other incidents.

A fired Buffalo police officer's challenge to the department's mandatory drug-testing policy has been thrown out of court by a U.S. district judge. Carl E. Fleming, who tested positive for cocaine in 1997, had sought \$5 million in the suit, which alleged that his urine sample was improperly handled.

PENNSYLVANIA — Police in the state may be keeping more detailed records of traffic stops under a plan by state legislators that calls for documenting the race of all motorists stopped.

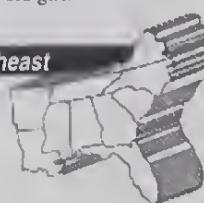
The state Supreme Court struck down a provision of Megan's Law that declares certain sex offenders "sexual predators" unless they prove otherwise.

As the number of gun permits soars in Philadelphia, police are enforcing their right to revoke concealed-weapons permits based on "good cause" guidelines. So far this year, 141 permits have been revoked, some in cases where the holders are arrested but never convicted of a crime. About 33,000 city residents now have a permit.

News reports charge that Allegheny County Sheriff Pete DeFazio has hired deputies based on their well-connected relatives. Of the 50 deputies hired since DeFazio took office in 1998, according to The Pittsburgh Post-Gazette, only one finished in the top 10 on the written Civil Service test.

Former Pittsburgh police officer John Angotti was sentenced to two to four years in jail on June 16 for molesting a 15-year-old girl.

Southeast



ALABAMA — Implementation of the state's Sex Offender Community Notification Act has been blocked until a Federal judge can hear a challenge to the law filed by the ACLU. The act mandates that police publicize the names and whereabouts of sex offenders upon their release from prison. The ACLU has argued that such laws are unconstitutional.

ARKANSAS — Benton County has a new, full-time law enforcement team to combat domestic violence. Armed with two Justice Department grants totaling \$460,000, the Benton County Domestic Violence Program has now compiled a data base to track offenses, and will investigate and prosecute only domestic violence offenses. The participating officers are Bentonville police Sgt. Justin McCarver, county sheriff's investigator Ruth Quelch and deputy prosecuting attorney Am Hesse.

In an unusual summer job program, 30 Arkansas youths are working as undercover agents to bust retailers that sell cigarettes to minors. The state Health

Department's Tobacco Control and Prevention Division will employ the youths, who will make \$6 an hour in the federally funded program. They are expected to make 3,602 inspections by mid-September.

A woman who was raped by an escapee from the Washington County jail is suing the county for more than \$3 million. Her attacker, James Walton, was later recaptured and is now serving a 50-year sentence.

FLORIDA — After an exchange of gunfire on June 24, Griffin police shot and killed Walter Davis, 65, in the living room of his brother's residence. Davis had opened fire on police when they responded to a domestic disturbance call from his brother, Charles.

A 15-year-old Jacksonville youth, Joshua Phillips, was found guilty of first-degree murder in the November 1998 killing of Maddie Clifton, an 8-year-old neighbor. Clifton was stabbed and beaten with the boy's baseball bat. Phillips' conviction, which came on July 8, carried an automatic life sentence.

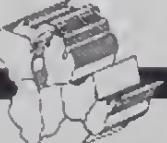
LOUISIANA — This fall, students at 23 New Orleans public schools will pass through some 118 new metal detectors, under a plan approved June 28 by the Orleans Parish School Board. The devices, which will cost a total of \$209,450, will be installed at main entrances, cafeterias and gymnasiums of schools considered to have the greatest security risks. They were set to be installed by Aug. 26.

NORTH CAROLINA — Durham and Chapel Hill DWI checkpoints over the weekend of June 26 resulted in at least 28 citations for driving while impaired. In one case, a woman drove past a checkpoint with an open bottle of gin in the front seat. An additional 15 citations were issued for other offenses.

SOUTH CAROLINA — With traffic counts up significantly since 1991, and calls for service escalating, Moncks Corner Police Chief Greg Hoover has called for an additional \$104,000 in this year's budget to add two new patrol officers and two new cruisers. The department expects to respond to more than 11,000 calls for service this year.

TENNESSEE — Timothy McKinney, 25, was sentenced to death on July 16 in the killing of 16-year Memphis police veteran Don Williams in 1997. Williams was off duty when he was shot in the back of the neck at close range outside a comedy club on Dec. 26.

Midwest



ILLINOIS — Six women, all of whom had histories of drug abuse or prostitution, have fallen victim so far to a serial killer in Chicago's Englewood neighborhood. It is the third time in eight years that a serial killer has stalked women in Englewood and adjacent New City. The Englewood police district, which is home to 170 convicted sex offenders, saw 55 murders committed there last year.

Those caught illegally carrying guns

will face automatic prison sentences in Cook County, the state's attorney said on July 8. Similar policies have already been implemented in Richmond, Va., Philadelphia and Oakland, Calif., where authorities turn illegal gun cases over to Federal prosecutors, who seek mandatory five-year prison terms. Before the new law, about 80 percent of Cook County's gun charges had been dropped as part of plea bargains.

A roof-top sniper has been arrested in the shooting of Chicago Police Sgt. Michael Ytzen, who lost part of his left arm to a bullet that came through the door of his squad car on July 18. Jorge Negrette, 19, who was charged with attempted murder of a police officer, was said to be lying in wait with a high-powered rifle for rival gang members.

Federal authorities have been asked to investigate police brutality charges filed against officers who worked under Jon Burge, a Chicago police commander who was fired in 1993 when officers under his command were found to be abusive of suspects. State Representative Danny Davis has also asked why the Cook County State Attorney's office has not reopened cases involving Burge, including illegally coerced confessions claimed by 10 death row inmates.

A Chicago judge has thrown out the murder confession of a 9-year-old boy, saying he could not have understood the rights read to him by police in the case of the fatal 1998 beating of David Jones, a 5-year-old foster child living with the boy's family.

The World Church of the Creator and its leader, Matthew Hale, have been accused of committing fraud by soliciting money as a charity, according to court documents filed by state Attorney General Jim Ryan on July 14. The white supremacist organization has been linked to Benjamin Nathaniel Smith, 21, the gunman who killed himself after a three-day shooting rampage in the Midwest.

INDIANA — The state Supreme Court ruled July 6 that the state's new seat-belt law does not violate constitutional rights in allowing officers to pull over motorists solely for not wearing their seat belts.

Pot pickers in northern Indiana will find few weeds after officials gear up a program to eradicate the state's wild marijuana plants. The low-grade plants have been a persistent problem because some 75,000 acres were chosen in 1943 as a government-funded site to grow hemp. After the fields were abandoned, Jasper, Newton, Starke and Warren counties became popular grounds for illegal harvesters.

A 30-year-old Franklin man has admitted to killing his infant son on June 19 as a way to exact revenge against his wife. Ronald Shanabarger said he suffocated his 7-month-old son with plastic wrap in order to settle the score with his wife, Amy, who had failed to cut short a vacation trip in 1996 to comfort Shanabarger when his father died. Shanabarger said he planned the crime before his son was conceived.

A seemingly routine traffic stop by Putnam County Deputy Sheriff Mark Frisbie scored 1,300 pounds of cocaine,

Around the Nation

worth an estimated \$48 million. The truck driver and passenger were both from Laredo, Texas.

KENTUCKY — A Paducah jury has acquitted former Livingston County Sheriff David Johnson of murdering his ex-wife, Kathy Johnson. The woman was found stabbed and shot last winter.

Amid questions from state legislators, a spokesman for the State Police said Kentucky would join the FBI's national DNA data base as soon as the FBI completes background checks of the state's technicians. The DNA data base has now been on-line for more than nine months.

Lexington police will now note the race, gender, name and address of every driver pulled over, as part of a plan to combat a perception that police stop black men more often than others. The documentation policy began Aug. 1 and will be in effect for at least six months.

MICHIGAN — Helen Graczyk, a Dearborn woman charged with owning dogs that bark too much and too loudly, has asked that the charges against her be dismissed because police did not have warrants when they entered her home and removed her dogs. The dogs, a Siberian husky and a Samoyed, were taken to an animal shelter on June 30. Graczyk is scheduled to have a jury trial to settle the matter on Sept. 28.

Carrying a concealed weapon in Michigan may get easier if lawmakers pass measures that would streamline permit processes. Opponents of the bills claim the number of people carrying concealed guns could jump from 21,000 to 300,000.

After a number of gang-related fire-bombings in a central Holland neighborhood, community activists were set to hold a solidarity march in July.

Dennis Archer Jr., the son of Detroit Mayor Dennis Archer, has filed a complaint against the Royal Oak Police Department, claiming that in a Memorial Day incident he was surrounded by six police cars and ordered out of his car at gunpoint.

OHIO — State Auditor Jim Petro has called for the creation of a statewide computer link that would allow police and welfare agencies to share information in order to catch felons and crack down on fraudulent payments to welfare recipients.

WEST VIRGINIA — Marijuana, the state's top cash crop, has fared well despite the season's lingering drought because most plants are grown in greenhouses, authorities said. Some \$269 million in marijuana was sold in the state in 1997, averaging \$3,120 per pound. Plants grown outdoors, however, were said to be of very poor quality due to the shortage of water.

Police in the state are having to resort to the use of force more often to subdue suspects because the suspects are themselves more violent. Law enforcement officials are seeking tougher penalties against those who assault police.

WISCONSIN — Pewaukee Officer Craig Drummer lifted a 500-pound ride-on lawn mower off a man who was pinned beneath it. Terry DeSandre, 59,

had been thrown by the mower and landed in a small ravine with the machine on top of him. Drummer, who regularly lifts weights and stands 6 feet 7 inches, reportedly freed the man with ease.



KANSAS — The four-member Kinsley Police Department has gone from full strength to no strength after three officers, including Police Chief Lance Duff, resigned to take police jobs in other towns and another officer quit for personal reasons.

MISSOURI — St. Louis Police Officer Robert Dodson was due to appear in court July 12 for a preliminary hearing to determine whether he should be tried for murder in the death of Julius Thurman, a 19-year-old burglary suspect. Thurman died from massive head injuries following a fight with Dodson.

About 1,600 St. Louis officers will bone up on tactical persuasion techniques by taking part in two seven-hour classes on "verbal judo." The class, taught by George Thompson, a martial arts expert and former police officer and English professor, and the overtime costs for participants are being paid for by seized criminal assets.

MONTANA — A 14-year-old Kalispell boy may be tried as an adult in the drowning death of Megan Lamanna. The 6-year-old's body was found in the Flathead River.

A tentative contract was reached between Kalispell and its police officers, after a strike that lasted more than four days. Police agreed to a 40-hour work week instead of 37, while officers won a clothing allowance from the city.

NEBRASKA — A test involving nearly a dozen agencies will determine whether the state's communication system works in all areas of the state. Gov. Mike Johanns has launched the three-month study to ensure that dips in terrain do not halt low-frequency radio signals for police and other emergency workers.

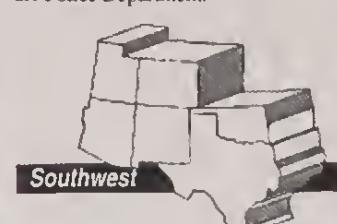
The Nebraska Supreme Court has blocked an attempt to allow police from the Pine Ridge Indian Reservation in South Dakota to pursue drunken drivers into Nebraska. A 1996 state law says only Nebraska officers may cross jurisdictional lines to pursue suspected drunken drivers.

A 12-year veteran, Omaha Police Sgt. Kirk Kunze, faces assault charges in connection with the arrest last June of two men after a car chase. Kunze was one of two officers involved in the arrest, which was videotaped from a police cruiser.

Council Bluffs Police Officer John Hallock received the department's first Officer of the Year award on July 12. Among other feats, Hallock was pepper-sprayed and bitten during an arrest and did not lose his cool.

SOUTH DAKOTA — Brookings School Superintendent Orville

Creighton said police will be present at middle schools and high schools in a liaison program that is aimed at building trust between the student body and the Police Department.



ARIZONA — Salvatore Gravano, the former New York Mafia underboss and enforcer known as Sammy the Bull, has been living under a new name in Arizona, hiding from assassins, the families of his victims and the news media, among others. Following his testimony against top mob members in 1991, Gravano arrived in Phoenix as a Federal prison inmate, but left a witness protection program shortly after his release.

NEW MEXICO — Border Patrol agents have been the subject of complaints from residents along the border, who say the agents are pulling them over for no reason and asking inappropriate questions. Border Patrol officials responded that agents may rightfully ask questions of those suspected of crimes and may enter private land within 25 miles of the border.

More than three dozen people who have died of drug intoxication in New Mexico have been found to have ingested methadone, which is used to help heroin addicts kick the habit. Some 41 out of 200 drug-related deaths reported between January 1996 and mid-May of this year have involved victims with methadone in their systems, state officials say.

OKLAHOMA — Tulsa will settle a wrongful-arrest claim with a man who was stopped for not wearing a seat belt and was then arrested for transporting a loaded firearm. City officials said they will pay 20-year-old Emorendo Joe Lewis \$3,500 for the Aug. 11, 1996, arrest. According to court records, police illegally searched the vehicle after the seat-belt stop when they spotted a ski mask in the rear of the truck and learned that a passenger had an arrest for armed robbery. A court ruled that seat-belt violations do not give police the right to search a vehicle.

TEXAS — The state is seeing an impact from laws that penalize county or state inmates who have filed more than three frivolous lawsuits in a year by imposing heavy filing fees and the loss of good-time credit toward early release. A survey of Federal courts in Texas has shown that between 1995 and 1996, the number of lawsuits filed by inmates dropped almost 25 percent, from 3,903 to 2,949.

After hiring an unlicensed deputy, Kendall County Sheriff Henry Hodge entered a no-contest plea to a misdemeanor charge and was fined \$100.

UTAH — Salt Lake City Police Officer Robert Joseph, 38, allegedly used excessive force when he fired his gun 11 times at a fleeing motorist. Joseph was ordered to stand trial on a single felony count of aggravated assault in the shooting of Westley Scott, 22, during a March 26 traffic stop in which Scott

suffered permanent injuries.

There will be no more cruising on State Street in Salt Lake City, according to an ordinance that prohibits anyone from passing a police checkpoint in the same direction more than twice between 11 P.M. and 4 A.M. Those convicted of cruising face fines of up to \$500.



CALIFORNIA — Sgt. Gregory Preece, 38, the supervisor of four Riverside police officers who shot Tyisha Miller in her car last December, has been told he will be fired. Preece was to be dismissed for allegedly failing to prevent the shooting and for making a racist remark at the scene. Miller was shot 12 times by police after she was discovered asleep with a gun in her lap in a disabled car. Preece arrived on the scene seconds before the shooting occurred.

A lawsuit filed by Eileen Arnold has renewed interest in an incident in which Los Angeles County sheriff's deputies, Hawthorne police and California Highway Patrol officers shot her 39-year-old husband, Michael William Arnold, a total of 106 times in Hawthorne on March 27, 1996. The widow believes that police overkill contributed to a wrongful death and violated her husband's civil rights. Arnold's mother has also filed suit in connection with the shooting. Arnold was found with an air pistol after officers said he shot at them from a freeway ramp.

San Diego Police Chief Dave Bejarano has reversed a plan to eliminate home burglary investigations unless there are known suspects, compelling leads or extensive evidence. The proposal came after a study of the department's 7,000 annual burglaries showed that only 12 percent were solved. The plan, which Bejarano said would have put more officers on the streets to stop sales of drugs, was scuttled after Mayor Susan Golding denounced it.

Two brothers, Benjamin Matthew Williams, 31, and James Tyler Williams, 29, were arrested July 7 for the shotgun slayings of a gay couple on July 1 near Redding. The two men have also been linked to the arson fires of three synagogues on June 18 in Sacramento. Federal officials are investigating whether the brothers are part of the World Church of the Creator, which preaches a white supremacist doctrine.

A former Los Angeles County sheriff's deputy allegedly caught in a love triangle has been linked to the 1985 slaying of sheriff's Sgt. George Arthur. The retired deputy, Ted Eugene Kirby, 54, disappeared from his Spokane, Wash., home after investigators used DNA evidence to link him to the killing. Kirby allegedly shot Arthur in his van on a downtown freeway ramp, possibly because the two men were involved with the same woman.

The Orange County Sheriff's Department has signed a \$2.6-million contract to install new computer-aided dispatch software, as well as records manage-

ment and field reporting software, all of which will be able to share data. About 130 laptop computers will be installed in patrol cars. The program is expected to be completed by this fall.

A coalition of law enforcement agencies and health advocates has called for a voluntary registry of medical marijuana users to protect them from arrest. The Medical Marijuana Task Force also proposed to allow groups of patients to grow marijuana. Tiburon Police Chief Pete Herley said the task force achieved a surprising degree of consensus on extremely difficult issues. The recommendations came after Proposition 215, passed in 1996, allowed individuals to grow marijuana for medicinal purposes.

Major crimes in California's largest cities dropped by 13 percent last year, according to the state Attorney General's office. The homicide rate dropped by 16.7 percent and vehicle thefts were down 15.9 percent.

Hate crimes are up by 107 percent in San Diego, with 114 reported hate crimes in the first half of this year, compared to 55 in the first half of 1998. About half of this year's cases involved the distribution of racist flyers. Meanwhile, violent crimes are down almost 17 percent, and total crime is down just over 10 percent.

A state appellate court has overturned the murder convictions of four street-gang members in the 1996 slaying of a rookie San Diego police officer. The court ruled on July 20 that overzealous prosecutors hid the fact that a jailhouse informant received preferential treatment, including sexual trysts and free phone calls. The gang members now face a possible retrial for the murder of Officer Jerry Hartless, 23, who was fatally shot while chasing a drug suspect.

IDAHO — A public meeting was set in Meridian to let police and concerned citizens discuss gang activity. Police officials were to introduce gang unit members and promote their role as community partners.

The Aryan Nations white supremacist group paraded down a side street of Coeur d'Alene on July 10, after U.S. District Judge Edward Lodge granted them the right to hold the march. Human rights protesters detoured the parade, which had been set to run down the city's main street. A group of about 400 people held a diversity rally a few blocks away.

OREGON — A two-year-old Molalla Police Department program that encourages parents to bring their children in for free drug-testing is expected to be expanded to 10 other Oregon cities this year. The program screens urine samples to detect drug metabolites, and reports the findings within 15 minutes.

Drive-by shootings in Portland have dropped from 68 in 1995 to 41 in 1996, and so far this year there have been 13. Only two children have been killed by firearms this year, according to Mayor Vera Katz.

Astoria police nabbed a suspected drug trafficker, 28-year-old Roberto Valiente-Martinez, when, during a traffic stop, he asked officers to remove a package of cocaine stashed in his groin because it was apparently burning him.

People & Places

Fear factor

Chief of Department Louis Anemone, who was often feared by many New York City police commanders for his merciless questioning of their crime-reduction strategies during the Police Department's weekly Compstat meetings, shocked the agency in June when he abruptly announced his retirement after 34 years on the job.

The 53-year-old Anemone, the department's third-highest ranking official and highest ranking uniformed officer, said it was the rigors of the job over time that prompted his departure.

"The last five and a half years have been extremely satisfying," he told The New York Times, "but they've also been extremely demanding and tiring." On a typical day, Anemone said he awakens at 4:30 A.M. and does not return home from work until 8 P.M. After his retirement becomes effective, he hopes to be getting out of bed at 9 or 10 o'clock, going for a jog or bike ride and "puttering around in the garden with the tomato plants," Anemone said.

A key figure in the department's much-emulated Compstat anticerime program, Anemone was the man who held commanders responsible for crime reductions in their jurisdictions. His hounding tactics and junkyard-dog temperament produced results, although they are widely believed to have cost police in terms of community relations. Even within the top ranks of the department, Anemone was known for taking a hard line on civil unrest, such as advocating the use of mounted officers to disperse small crowds.

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Marie Simonetti Rosen
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Peter C. Dodenhoff
Editor/Associate Publisher

Jennifer Nislow
Associate Editor

Mary Mele
Subscriptions

Lisa Leslie
Editorial Assistant

Correspondents: Hugh J.B. Cassidy, Jack Dowling, Tom Gatchoff, T.L. Tyler, Ron Van Raalte.

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Many contend that he ruled by fear. The pressure he put on commanders to bring down crime was often passed along to their subordinates, resulting in patrol officers who stopped more people — sometimes in violation of their civil rights. The department's stop-and-frisk practices have become the subject of investigation in the wake of the fatal police shooting of Amadou Diallo in February.

"Louie played a very significant role in the development of the Compstat process, which is being widely duplicated around the world," former Police Commissioner William J. Bratton told The Times. "He was not shy and he was willing to go the extra mile; he was not in it to make friends."

Indeed, Anemone said the highlight of his career was seeing the city revitalized by the drop in crime.

In a news conference to announce his plans, Anemone dismissed speculation that he was leaving because of any disagreements with Police Commissioner Howard Safir or because he felt Safir had not included him in major decisions, including a number of recent transfers and promotions made without his counsel. Said Anemone: "I am a member of a semimilitary organization, and once the commander in chief gives the orders, I'm a good soldier and I follow."

Named to succeed Anemone in the top uniformed post was Joseph P. Dunne, a 29-year NYPD veteran who had been Chief of the Housing Bureau. Previously, Dunne led the Strategic and Tactical Command in the Brooklyn North area, which entailed an experimental redesigning of command jurisdictional resources.

Filling in

Acknowledged as perhaps the Hartford, Conn., Police Department's most effective community-relations trouble-shooter, Assistant Chief Deborah Barrows has been made acting chief in the absence of her boss, Chief Joseph Coughwell, who is on medical leave and is considering retirement in September.

The 44-year-old Barrows is the highest-ranking African American officer in the department and among the highest-ranking female officers in the state. While she has filled in for Coughwell before in short stints, this would be the longest period she has assumed command of the department.

Barrows is credited with pouring oil on the troubled relationship between the department and the city's black community in the aftermath of the fatal shooting in April of 14-year-old Aquan Salmon, an unarmed black robbery suspect, by a white patrol officer. Her mobilization of community leaders, visits to Salmon's family and talks with the angry and bewildered friends of the victim helped the department and city get through a tough situation, noted Coughwell.

"I think through the Aquan Salmon case she has been given a more public profile, but she was known in the community long before that," said Pastor Cornell Lewis, a substance abuse counselor and co-pastor of the North End Church of Christ. "If she wasn't, she couldn't have pulled that off," he told The Hartford Courant.

Larry Woods, a social service director at Chapelle Gardens housing project, said Barrows's skill lies in her ability to listen. In her silence, he told The Courant, she "hears what needs to be heard in order to rectify a situation."

Coughwell, 51, drove himself to the hospital in June with a heart condition and has not been back at work since. Seeing what the job did to the Chief during his five-year tenure, Barrows confided to friends that she did not want the position permanently. In addition to the Salmon case, a Federal probe has already led to the arrest of five officers on charges they conducted on-duty sexual affairs with prostitutes.

"If Joe Coughwell decides he's going to retire, the national search would go into full bloom," said Mayor Michael P. Peters.

While Barrows has a sterling reputation within the community, she is not universally liked within the department. Married to former State Senator Frank D. Barrows, she has been criticized for bringing her young children to work with her. Some also point out that she rose in just nine years from lieutenant to assistant chief, based partly on promotional tests that include no written segments — although other department officials climbed the ranks in the same way.

Barrows is considered key to keeping peace in the city when the findings of the Salmon case are released. Said Peters: "Her job will be to make sure the department responds correctly in this situation and in all situations. To be acting chief, she's going to have to be good."

Noble calling

As a young lawyer fresh from Stanford University, all Ronald K. Noble wanted was to be a financial success. Fortunately for American and international law enforcement, Interpol's newly appointed director took the trusted advice of those who told him he would have a more fulfilling career in public service.

The 42-year-old Noble is the first American to head the international police organization. A former Federal prosecutor who was sworn in as under secretary of the Treasury Department's enforcement division at the age of 38, his report on the Government siege of the Branch Davidians in Waco, Tex., led to the departure of several high-ranking officials. Federal law enforcement officials. Noble was also at the Treasury Department when Federal building in Oklahoma City was bombed on April 19, 1995.

Now a law professor at New York University Law School, his average work day is 16 hours. Noble is there so early, in fact, that he has his own keys. It is a trait he will bring with him to Interpol when he takes over in October 2000. Among his plans is to upgrade technology for the agency and its 177 member nations and increase Interpol's work hours from the current five days a week. Given Noble's experience with Waco and Oklahoma City, it is not surprising that his main concern is terrorism.

Noble grew up in Jobstown, N.J., the son of a U.S. soldier who had married a German. In an interview with The New York Times, Noble said he often

helped his father as a janitor. Of the two of them, the elder Noble was the more ambitious for his son. Although Noble graduated cum laude from the University of New Hampshire and was articles editor of the Stanford Law Review, it was his father who paved the way for his son's first job out of law school.

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The new chaplain, 48-year-old El Hajj Izak-El Mu'eed Pasha, is the spiritual leader of the Malcolm Shabazz Mosque in Harlem, presiding over an 8,000-member congregation. The mosque was once the headquarters of black nationalist leader Malcolm X and was the scene of a shootout in 1972 between Muslims and police that left one officer dead.

Pasha was selected by police and city officials because of his ability to bring people together, said Police Commissioner Howard Safir. "He cares about the city, he cares about his constituency, he cares about the Police Department," Safir told Newsday. "He is a fair, even-minded, spiritual leader who has an incredible reputation and is somebody who will be a great asset to the city and department."

He is said to have a cordial relationship with Mayor Rudolph Giuliani, having served on the task force the Mayor formed in the wake of the attack on Haitian immigrant Abner

Louima in 1997, for which one police officer has been convicted and another pleaded guilty. In a gathering at the mosque recently, Pasha told his congregation that it is wrong to be overly critical of white police officers in general, and of Giuliani in particular. "Give the man credit," he said. "There's good people in the Police Department, a tremendous amount of them."

Pasha did condemn those he considered schemers who use race-consciousness as a divisive tactic. He did not, however, name who these might be.

Pasha, originally a plumber by trade, began working at the mosque doing general contracting work and helping to manage its properties. During the 1960s, the era of Malcolm X and Elijah Muhammad, Pasha turned to the Nation of Islam because he believed it offered a path to dignity and pride, he said. He dropped his birth name, and "got his X," rejecting his last name as a slavery-imposed fabrication.

He was made imam, or spiritual leader, of the mosque after the death of his predecessor in 1993.

As one of six chaplains within the department, Pasha will not only help the estimated 102 Muslim officers, but is expected to help heal the city's racial wounds. He will not accept a salary for his work, and has asked that the money be donated to the Clara Muhammad School, named for the wife of the founder of the Nation of Islam, Elijah Muhammad.

Bureau boss

James V. DeSarno Jr., a 23-year veteran of the FBI who has both a master's degree in clinical psychology and broad experience in investigating fraud and corruption, has been named as the new head of the bureau's Los Angeles field office.

The 52-year-old DeSarno was formerly in charge of overseeing agents investigating fund-raising abuses in the 1996 Presidential campaign. As chief of the Los Angeles field office, he will hold the rank of assistant FBI director — one of 13 in the agency.

During his career with the bureau, DeSarno has held a variety of posts in Washington, Philadelphia and New Orleans, where he oversaw a major public corruption investigation that eventually led to the indictment of former Louisiana Gov. Edwin W. Edwards on charges of extortion in a casino-licensing scandal.

Coming up in LEN:
What it means to be a "reform chief" — a candid interview with Arlington, Va., Police Chief Edward Flynn.

Where is everyone going?

Disillusioned by promotional logjam, recently hired New Orleans cops head for the exits

Hit hard by the twin scourges of attrition and dismissals, within the space of a year the New Orleans Police Department has seen its record number of backlog applicants and increased number of newly hired officers dwindle to the point where the city's Mayor and Police Chief have lifted a seven-month hiring freeze and made room for some 130 recruits at the now-dormant Police Academy.

Departmental strength has fallen from a high of 1,682 officers at the peak of the agency's hiring spree to 1,636 in June. What is most troubling, however, is that a statistical analysis of the NOPD's personnel shows that of the 170 officers who have left the department since Jan. 1, 1998, nearly half were new officers with less than two years in uniform. Sixty-five — or 38 percent — were recruits who had not yet graduated from the academy, and the other 11 percent, or 19, had less than two years on the job.

While some of recruits do not make the cut because they do not meet physical fitness requirements, have disciplinary issues or fail other components of the training, the Police Association of New Orleans maintains that much of the exodus of both recruits and rookie officers who are deemed NOPD material is being caused by a logjam on the promotional ladder.

"When a police officer takes a promotional exam and there are openings for those positions, it's just fair and right for that

person to be promoted," the union's president, Lieut. David Benelli, told The New Orleans Times-Picayune. "It's very frustrating when it doesn't happen. It involves more than just money. There's a moral obligation to officers who use their own time to go to class."

Police Supt. Richard Pennington said that he has received resignations from officers who thought they were going to be promoted and were not. "I think that's going to start to cause some problems soon," he told The Times-Picayune.

Despite a one-time pay raise that boosted the salary scale two years ago, promotions above the patrol rank — which provide a 5-percent pay increase at every step from Patrol Officer I through IV — have been frozen for three years. Lack of advancement is often cited by young officers as their reason for leaving the force.

Said Daniel Ulfers, who was hired by the NOPD in 1998 and left this year: "I needed more money. That's the main reason I quit." Ulfers told The Times-Picayune that it was not practical for him to stay when there was no chance to increase his salary.

Another officer who left the Jefferson Parish Sheriff's Office to work for the NOPD but later returned to his old agency said he viewed the Police Department as a dead end. One 20-year veteran said he had passed all the tests for promotion, but received nothing but a congratulatory letter from Civil Service. "They're just not promoting anybody," he said. "and a lot of officers are

becoming disillusioned."

Given the financial shape the city finds itself in, Mayor Marc Morial said he was unable to offer any solutions to the dilemma. It costs money to promote someone, he told The Times-Picayune, and when the department makes 20, 30, or 40 promotions, it hits the budget hard.

The problem of retention will only get worse in the short term, according to a new study commissioned by the New Orleans Police Foundation. Over the next two years, a swell in the number of officers due to retire coupled with past attrition rates will cause the department to lose 260 to 460 officers over the next two years. The study's findings were a key reason for Morial to lift the department's hiring freeze.

Although \$3.5 million budgeted by the state to pay for expenses related to the opening of a Harrah's New Orleans Casino will be used to add another 56 officers to the force, said Morial, it still will not help the department retain officers. Said one official, hiring officers but denying them promotions is like pouring water into a bucket with a hole in the bottom.

"Retention is a concern, especially the retention of good people," said Terry Ebert, director of the Police Foundation. Normal career progression, he told The Times-Picayune, is a very important part of morale and ambition. "I think we need to work in conjunction with the city on how to deal with that."

Crime goes down, so do civilian complaints:

NYPD bosses have their cake & eat it

By attaching real consequences to the type of uncivil behavior by officers that can result in civilian complaints, two New York City police commanders have significantly increased community satisfaction with the force in their Bronx precincts while still maintaining drastic decreases in reported crime in the troubled neighborhoods.

According to a study by the Vera Institute, a nonprofit organization which studies criminal justice issues, the number of complaints against officers at the 42nd and 44th Precincts in the crime-ridden South Bronx community once known as "Fort Apache" has dropped by an impressive 67 percent since 1996. Last year, just 44 complaints were lodged against sworn personnel there, down from 67 in 1997.

"The thought always was that if you make a lot of arrests you're gonna get complaints," said Capt. Tom King, commanding officer of the 4-2. "But we're out to deliver the whole package — safer streets and people who respect us because we respect them. Why ac-

cept less?"

Both King and Deputy Insp. Richard Romaine, commander of the 44th Precinct, took command in 1997. While they differ substantially in managerial style, they share the common goal of improving the relationship between police and residents while continuing to fight crime. An inner-city Catholic school teacher before joining the force when he was 29, the 47-year-old King is considered a hands-on boss who conducts "heart-to-heart" talks with officers who have received complaints.

Romanie, 52, takes a more hierarchical approach, poring over monthly computer printouts that list the civilian complaints lodged against his 300 officers. Officers who have made the list are dropped from



King



Romaine

consideration for special assignments or weekends off. Through his sergeants, Romaine has made it clear that civilian complaints could stall officers' careers.

"It goes to your view of your role as a cop," Romaine told USA Today. "Are you an ass-kicker, someone who wants to change people's behavior? Or are you a Charlie Gergley, who treated everyone with respect, never talked down to a perp and never took it personal? And he made arrests without hardly walking out of the precinct," he said about one old Bronx beat officer.

Among the key elements of Romaine's and King's success, according to the study, has been their reinforcement within the precincts of mandated, department-wide programs such

as the department's Courtesy, Professionalism and Respect (CPR) initiative.

CPR was implemented in 1997 when the department began to be concerned about community perceptions. It encourages personality and psychological screening of new recruits to identify who will conform to CPR guidelines, and defines monitoring programs for officers who receive multiple complaints, said the study. Other programs, including Verbal Judo, help officers look for creative solutions to defusing conflicts and bringing about peaceful resolutions.

In the 42nd and 44th precincts, said the study, King and Romaine installed training sergeants to ensure that their message that respectful policing was a high priority in the NYPD was getting through to the troops. Both also incorporated CPR as an integral part of roll call and unit training. Younger officers with attitude problems were paired with more experienced officers.

Officers who were on the recidivist list for multiple civilian complaints were talked to personally in both precincts by the commanding officers. In some instances, they were passed over for promotions and new assignments. At least one officer was sent for a refresher course in Verbal Judo, while another was told that he would be reassigned to a shift that would make his child-care arrangements difficult.

According to data from the city's Civilian Complaint Review Board, the number of complaints received by recidivist officers in two precincts declined substantially in 1997 and 1998. In the 4-4, the proportion of complaints due to recidivism fell from 29 percent in 1996 to 17 percent in 1997. It was just 8 percent last year. In the 4-2, the proportion dropped from 17 percent in 1996 to zero last year.

While other factors have contributed to the reduction of complaints, it is predominantly the strong emphasis that the precincts' commanding officers have placed on community relations that has effected the change, the study concluded, noting: "Both commanders not only managed their officers well, but

also managed community relations in a way that demonstrated the police were responsive to community concerns."

At a time when many members of the city's minority community believe the price paid for safer streets has been too high, the success of King and Romaine's policies has been touted by researchers as a significant finding in the field of community policing. Since 1994, the number of complaints against officers has remained at levels 40 percent above those documented in 1993. This has led to speculation that an aggressive police force using strategies such as stop-and-frisk to successfully bring down the city's crime rate will inevitably generate anger and resentment among residents, said the report.

Even at the two precincts studied, civilian complaints reached a 10-year high in 1996 with a total of 132 lodged against officers. At the same time, community policing policies implemented in the area were forcing down the precincts' homicide rates. In 1990, the 44th Precinct reported 89 murders, and the smaller 42nd reported 45. By last year, the combined total of homicides for both precincts was 24.

The neighborhoods that make up both precincts are seriously economically disadvantaged, and have overwhelmingly minority populations. Some 95 percent of the residents are black or Hispanic. The police force is nearly 70 percent white.

Yet community support for the officers at the 42nd and 44th precincts has been high, found the study. Said Bishop Alvin Porter, leader of the Calvary Gospel Assembly, local patrol officers speak in "respectful, God-fearing tones." The cleric told USA Today he is also happy that the batteries in worshippers' cars are no longer stolen when they park for services.

The study found that both King and Romaine regularly attend precinct community council meetings and address community concerns at other gatherings. At the 4-4, the desk and bar in the reception area have been eliminated so the public feels less intimidated coming into the station house.

DC firing range stays closed after shells rain on neighborhood

The District of Columbia Police Department's firing range at the Lorton Correctional Complex in Fairfax County, Va., remains closed for live fire after a training exercise on May 24 sprayed the surrounding residential neighborhood with gunfire.

Fairfax police believe that more than 240 rounds were fired during a drill in which a D.C. police sergeant instructed eight county officers, the U.S. Capitol police, Defensive Protective Services and Andrews Air Force Base Security in a "fallen officer" exercise. As the officers lay on their backs, shooting 9mm. ammunition into the air, some 12 to 15 shots accidentally showered the neighborhood of Newington Commons.

The facility was ordered closed by Police Chief Charles H. Ramsey pending an investigation. "The range is not going to open until [Ramsey] has re-

viewed everything and considered all objections to improve the safety of the facility," a D.C. spokesman told The Washington Post.

The drill alarmed residents, who contend it was far more extensive than they had been led to believe. The range is due to be shut down when the prison complex is closed and its inmates moved elsewhere by the end of 2001.

In 1983, Fairfax officials sued in an attempt to have the range shut down after several homes in the area were hit with .45-caliber shells coming from Lorton. The District subsequently moved the range from the eastern end of the facility to the then-less developed western section when a Federal judge ordered a temporary shutdown. District officials at that time also promised to add berms that would stop stray bullets, along with other safety measures.

Local police recovered more than a dozen slugs in addition to the 15 bullets that reportedly hit a dozen town houses and three cars during the May exercise. Shells were found on the decks of homes and in parking lots, where one driver returned to her car to find a bullet in the passenger seat.

In a later development, the commander of the Fairfax police criminal investigations unit, Mike Lomonaco, said his bedroom window was shattered by a .308-caliber slug that came from Lorton. D.C. investigators say the slug was unlikely to have been used in any exercise. But Lomonaco said investigators who traced the bullet's path said it could have come from the Lorton range. They are investigating whether training is being done with .308 rounds, which can travel up to three miles and are used by sharpshooters.

For police, FEMA guidelines only go so far

Continued from Page 1

ment — or even the Federal Government — could do to provide shelter and care for everyone in that circumstance."

Although FEMA can provide the necessary guidelines, he noted, there is still "trench work" that needs to be done. "I don't think it's realistic to expect FEMA to step in and take care of that," said Myers. "If there was something widespread covering not just a community or a county, but states, FEMA does not have the capacity to take care and manage that whole function."

The Appleton department delivered a contingency plan to the Mayor's office in May. Later this year, it will conduct a tabletop exercise to see how well it works. As part of its plan, the agency has identified a local AM radio station that is prepared to be on the air regardless of any disruption in power to act as an information source for the community.

Kolpack said the department is concerned about two financial issues: hoarding of currency and the potential for burglaries or robberies, although no official word has yet been sent out about that. (That concern is apparently shared by police as far away as England, where a team of 1,400 detectives has been assembled to target jewel thieves and others who might take advantage of New Year's Eve festivities to break into homes.)

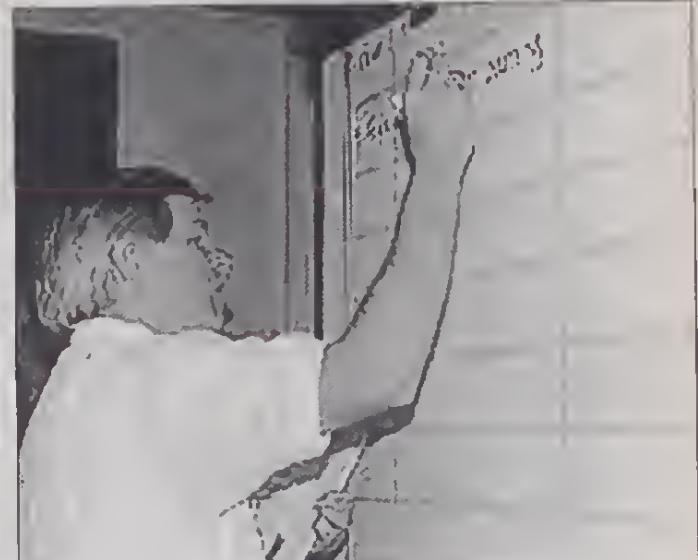
From an operational standpoint, a team has been created that will take responsibility for the New Year's weekend. Leaves and vacations have been canceled for Appleton officers from Dec. 31 until Jan. 4, he said. Many other departments, including the 2,500-trooper Maryland State Police, are also barring time off for officers during the critical first weekend.

Further along a continuum of Y2K perspectives lie the preparations being made by the Hudson, Ohio, Police Department. Chief Jim Brown, one of the contributors to the recent report "Preparing Law Enforcement for Y2K," published by the IACP, has prepared his department's own community preparedness and emergency services overview for distribution within the city and to other law enforcement agencies.

"To say I am concerned about the effects that the Year 2000 issue poses



Fielding calls for service and posting assignments, Lubbock, Texas, police officials got ready for possible Y2K chaos recently by staging a real-time civil defense preparedness drill.



for law enforcement would be a gross understatement," Brown wrote. "Law enforcement as a profession may well be faced with the single largest crisis in the history of our country if critical infrastructure systems, such as electric and telecommunications, experience any sustained disruptions beyond a few hours."

Brown believes there is considerable apathy concerning Y2K within the law enforcement community. Beyond testing their information technology systems, he said, most agencies have not discussed the potential ramifications of such an emergency. Those that have tend to be in parts of the country that have experienced calamity and come out the other side intact.

"We have this prevailing sense of winging it," Brown said, "and expecting a successful outcome with a bit of luck and a serious dose of common sense."

Contained within the Hudson Police Department's document on Y2K preparedness are instructions for city administrators and agencies, including the fire department, waste treatment, and the emergency medical service.

Police departments need to examine their organizations and develop comprehensive contingency plans, Brown's report states. Agencies should be asking themselves whether they have generators capable of protecting radio communications systems, and for how

long. Also, whether they have enough of the fuel the generators need to function beyond its tank capacity.

Other issues raised include whether police are prepared to handle traffic if the traffic lights fail; what planning it will take to handle the "avalanche" of alarms, and whether there are enough fully-charged cell phones available if

"To say I am concerned about the effects that the Year 2000 issue poses for law enforcement would be a gross understatement."

— Hudson, Ohio, Chief Jim Brown

both 911 and land-line systems are disrupted.

Brown advocates forming public affairs committees that would visit major businesses, hospitals and homeowners' associations to discuss possible service disruptions. A public service campaign will address shelter availability and give general instructions to homeowners about storing food and other supplies. Under the contingency planning and preparedness section, which was sent out to residents, citizens are urged not to call police to report neighborhood-wide power failures. "Walk, run, roller-skate, rollerblade, pedal or drive to report an emergency whereby police, fire, EMS, and other critically needed services may be needed."

While not expecting anything totally out of the ordinary to happen in December and January, the Lubbock, Tex., Police Department is going to stay flexible and open to all contingencies, said

Police Chief Ken Walker.

The city recently conducted a civil defense drill geared toward Y2K — perhaps the only major municipality in the country to do so. The impetus for the exercise came about after 71 county and city officials from around the country, including Walker, attended a FEMA training session last March. The Year 2000 issue seemed the perfect time to combine the FEMA training with a drill, he told LEN.

The disaster exercise included an ice storm and blizzard, power and natural gas outages, a riot at a grocery store sparked by cash register failures, a hospital fire, a murder and a New Year's Eve party gone bad. Closed circuit televisions and radios were used so that phone calls and radio traffic would be in real time. The control group that planned the exercise also tracked communication to see how long calls took and how each situation was resolved.

"It worked well," said Walker, although he added that the department did not really learn anything that it did not know before. Radio problems and power outages are situations it commonly deals with. As a preview of what no phone service would be like, Walker pointed out, last February 2,000 customers were left without service for 24 hours due to a telecommunications company glitch. If the phones do go down after Jan. 1, he said, the Police Department will establish staging areas and have people designated to run messages back and forth.

Developing a contingency plan for a breakdown in telecommunications is just one item on an extensive laundry list of areas that law enforcement needs to study over the next few months, according to both IACP and PERF, which have both released reports to help departments with their preparations.

The PERF report, "Y2K Law Enforcement Preparedness," recommends that departments make plans to deal with the possibility of vital public utili-

ties such as lighting, heating, water, telephone and public transportation systems failing; the emergence of cultist or possibly subversive activity associated with the millennium; large gatherings to celebrate New Year's Eve; and the development of interagency communication and contingency strategies for the security of high-risk venues such as banks, pharmacies and jewelry stores.

The IACP report is intended to give police chiefs a primer on the non-technical issues associated with the millennium bug. "At this point, agencies must focus on the emergency and critical incident management aspects of Y2K," the report notes. "Effective emergency management planning and training will provide a strong foundation from which to address the range of incidents the new millennium will present."

On the plus side of the ledger for the United States, the report notes, is that the year 2000 will dawn in New Zealand, 17 hours earlier. Should there be any immediate problems with information systems, the U.S. will have advance notice through a "Y2K First Alert System" administered by FEMA.

The IACP suggests that departments that have not written their own contingency plans investigate city, county or state emergency operation plans. "By building on existing plans, you can avoid reinventing the wheel and save valuable time," it said.

Also proven effective in emergency situations is the incident command system (ICS), used to manage emergency resources during critical incidents. The IACP report provides a six-step incident-response process that calls for sizing up the situation by determining the hazards and nature of the emergency; identifying contingencies; determining objectives; identifying the resources needed and how to get them; creating a chain of command for an incident action plan, and taking action to stabilize the emergency.

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A veteran police lieutenant looks at "millennium chaos" and offers a few thoughts for law enforcement.

Justices say 'no dice' to Chicago anti-gang law

As the U.S. Supreme Court wrapped up its 1998-99 term last month, a majority of the Justices advised the City of Chicago to look for alternative methods of dispersing groups of gang members, striking down a controversial anti-loitering ordinance believed by police and community members to have substantially brought down the number of gang-related homicides in the city.

It was one of several rulings on criminal justice-related issues made by the Court at the end of the session in June. Other cases decided by the Justices included an appeal by a group of Maine probation officers who sought to sue their state in state court for violation of Federal labor laws regarding overtime pay; a higher standard of evidence for the conviction of drug kingpins, and witness leniency in exchange for testimony.

In the Chicago case, decided by a 6-3 vote on June 10, the Justices said the law gave police too much discretion and the public too little notice of what was illegal.

The decision stemmed from a challenge to the law by the American Civil Liberties Union on behalf of 66 defendants, 34 of whom were not alleged to be gang members when they were arrested and prosecuted. The city brought the case before the Supreme Court after the Illinois Supreme Court upheld a lower court's ruling that found the ordinance unconstitutional.

The law was adopted in 1992 by the Chicago City Council after witnesses testified at public hearings that gangs used loitering as a strategy to claim territory, taking over entire blocks and terrorizing residents. The law gave police the authority to order suspected gang members and anyone who might be with them to disperse if they appeared to be aimlessly hanging about the street.

Those who refused were arrested and charged with a misdemeanor carrying a fine of up to \$500 or imprisonment of up to six months. During the three years the ordinance was in effect, it was used to arrest 42,967 people and disperse more than 89,000 loiterers.

In defending the law, Chicago officials pointed to a reduction in gang-related homicides of 26 percent in 1995, the last year the ordinance was upheld. By the next year, such murders climbed back up by 11 percent after the law was invalidated by a state appellate court. But Justice John Paul Stevens, writing for the majority, noted that it was difficult to "reach any firm conclusion" about the law's effectiveness since by the following year, the homicide rate had again receded by 19 percent.

Also deemed insufficient was Chicago's analytical argument that there is nothing vague about a police officer's order to move on. Said Stevens: "That the ordinance does not permit an arrest until after a dispersal order has been disobeyed does not provide any guidance to the officer deciding whether such an order should issue."

Yet the ruling leaves the door open for other anti-gang measures which would pass the Court's muster. In a concurring opinion, Justice Sandra Day O'Connor pointed to the type of narrowly worded anti-loitering ordinances that call for law enforcement officials to obtain a court order naming specific gang members or restricting whom they may associate with and what activities they may not engage in as one that would probably survive the Supreme Court's test.

In other rulings, the Court ruled 5-4 on June 24 that state employees are prohibited from suing in state courts — the only venue made available to them —

in order to get the state to comply with federally protected rights. At issue is the meaning of the 11th Amendment which prohibits Federal courts from hearing suits against one state by a citizen of another. The Court has traditionally interpreted the Amendment as barring suits in Federal courts by people against their own state, as well as Congress having the authority to abrogate the states' immunity from particular types of suits.

The case in question, John H. Alden et al. v. State of Maine, stemmed from a 1992 suit brought by 65 Maine parole and probation officers who charged the state had violated the Fair Labor Standards Act when it denied them premium overtime wages. The litigation was pending when the Court ruled three years ago, in Seminole Tribe v. Florida, that Congress did not have the authority to force states to defend themselves in Federal court under laws that included those that regulate interstate commerce. The ruling in Seminole required the dismissal of the Maine suit.

The plaintiffs then brought their suit to the Maine Supreme Court, which subsequently ruled that the state has 11th Amendment immunity rights in its own courts similar to those in Federal court, and dismissed the suit.

In Singleton v. U.S., the Court upheld without comment a decision by the U.S. Court of Appeals for the 10th Circuit that had reversed an earlier ruling by a Federal appellate panel that exchanging testimony for lenient sentencing was tantamount to bribery. The panel's decision last year had caused an outcry among Federal prosecutors, who claimed their ability to try cases would be irreparably harmed by their inability to offer deals to witnesses.

A decision by a Maryland appeals court that state law enforcement offi-

cials should have obtained a warrant before searching a vehicle they believed was carrying drugs was overturned by the Justices in a summary ruling.

In the case of Maryland v. Dyson, 14 hours had elapsed between the time police received a credible tip on the car and then spotted it in St. Mary's County, Md. The appeals court ruled that police had not demonstrated the exigent circumstances that would preclude getting a warrant.

The Supreme Court, in an unsigned opinion, said that such a separate finding was not needed given the precedents allowing for warrantless searches of automobiles. Because there was probable cause to search the vehicle, the search was valid without a warrant.

The Justices ruled in a 6-3 decision that Federal prosecutors must prove to the unanimous satisfaction of a jury that a defendant committed each drug offense in a series. The ruling set aside the 1994 conviction of Eddie Richardson, the leader of a Chicago

drug gang, the Undercover Vice Lords, who was convicted of running a continuing criminal enterprise through repeated sales of narcotics from 1984 through 1991.

The jurors in the case had been instructed by the trial judge that they did not have to agree on the specific crimes that made up the series, only that there had been a series. Under a powerful, 1970 law which imposes a minimum sentence of 20 years for engaging in a continuing criminal enterprise, Richardson was given a life term.

Writing for the majority, Justice Stephen G. Breyer said the individual offenses were themselves elements of the offense, and at least three had to be proved beyond a reasonable doubt to a unanimous jury. Requiring proof of each element of the offense, he said, was a traditional way of interpreting criminal law that guarded against "the dangers of unfairness" that would ensue from allowing "wide disagreement among the jurors."

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Tale of the tape: Seattle PD in *mea culpa* over video incident

Denying that it was engaged in spying, the Seattle Police Department has described its surreptitious videotaping of a news conference on police abuse held by the city's minority leaders as a misunderstanding that it would seek to rectify with an apology from Chief Norm Stamper and the destruction of the contested tape.

Community leaders, including local chapters of the NAACP, the Urban League, the ACLU and El Centro de la Raza, among others, were outraged to find that a meeting held in June to announce a series of public hearings into allegations of police brutality and misconduct had been taped by a civilian member of the SPD.

The employee, Gary Wilcox, had set up his equipment alongside the television cameras, leading participants to believe he was another reporter. When Wilcox replied to casually asked queries that he worked for the Seattle police, it prompted an immediate call to Mayor Paul Schell from conference sponsor Eddie Rye Jr., a board member of the National Black Chamber of Commerce.

"If he'd come in and said, 'I am from the Police Department' and wanted to know if there was any objection to his being there, we could have gotten a consensus," Oscar Eason Jr., executive director of the Seattle branch of the

NAACP, told The Seattle Times. "But to tape it without first telling the sponsors that it was being taped by the police, well that's why I'm concerned. And that's why I want that tape back."

In addition to being in what Eason called "very poor taste," the taping also raised the specter of the department's notorious past involvement with domestic spying on political and social activists that took place during the 1960s and 70s. The city was one of the first in the nation to pass an ordinance banning surveillance on individuals and groups based solely on their political views.

In a letter to Stamper, the ACLU expressed "grave concern" over the incident. "It is extremely disconcerting that the Seattle Police Department felt compelled to videotape a meeting that clearly amounted to political discussions of issues of deep concern regarding realities and perceptions of police mistreatment of racial minorities," wrote Kathleen Taylor, the executive director of the ACLU in Washington.

The department was not spying, said Lisa Ross, an SPD spokeswoman. Stamper's office was alerted to the conference by one of the participants and mistook the notice for an invitation, she told The Times. Ross did concede that it was undiplomatic for the department not to have asked permission to tape

beforehand.

Wilcox said he made the videotape for a segment of an SPD public-access television show called, "Beyond the Badge." He was sent to the conference, he said, because the department's media-relations unit could not send a representative.

Organizers of the event said the hearings follow an increase in allegations against Seattle officers, and moreover, the national discussion on racial profiling and abuse of power. At the conference, sponsors said they would provide at least one public hearing as a way for Seattle-area residents to vent their concerns about police brutality.

But the hearings could not come at a more contentious time for the department. In addition to the way it handles complaints, the SPD's internal affairs bureau is being reviewed by a panel appointed by Schell in light of allegations that a longtime homicide detective stole \$10,000 from a crime scene where an elderly black man was fatally shot by police in 1996.

In his apology to Eason, Stamper said: "In retrospect, we should have introduced ourselves, clearly marked our video camera with 'SPD' and sought your permission before taping. Announcing ourselves and seeking your permission to tape would have shown you the respect you deserve."

Forum

McCaffrey:

Tough anti-drug talk is no longer enough

By Barry R. McCaffrey

How can our nation best address the interrelated problems of substance abuse and crime? New York State has long been a leader in the national effort to reduce drug abuse and its consequences, and in keeping with that tradition, the people of New York are now debating the future of the state's drug laws. This is not a problem the Empire State faces alone. The challenge of how best to address the problems of drugs and crime is before all of us, at both the state and Federal levels.

We know what works. It is time to act on this knowledge.

In his book "Brothers and Keepers," award-winning author John Edgar Wideman reminds us that criminals can be removed from the society at large "but not from time.... We only pretend the prisoner has gone away." Sooner or later, the vast majority of inmates will return to our streets and communities. Roughly 500,000 prisoners re-enter the general population each year. They return either as a societal burden or as a better community member. The choice, in the end, may be theirs as individuals to make, but it is ours as a society to guide.

We must now re-examine the effectiveness of our criminal justice system in addressing drug use and drug-related crime. Tough rhetoric on crime is not a measure of success. The measure should be the quality of life in our towns and neighborhoods, the future of this adolescent generation, and the ideals of our nation.

This challenge can be expressed in the following straightforward question: Is our criminal justice system, as it now stands, effective at reducing substance abuse among the offending population in order to reduce levels of crime and other social cancers that are the result of drug consumption and trafficking?

For the good of our society we must answer

Gen. Barry R. McCaffrey (U.S. Army, retired) is Director of the White House Office of National Drug Control Policy. This article is adapted from his remarks before the First Annual Criminal Justice and Substance Abuse Conference, held in Albany, N.Y., on June 29.

this question based on science, not politics. We must address a public-health issue with serious consequences for society within the context of the criminal justice system. It is irresponsible not to do so.

Since the passage of the Rockefeller drug laws, New York State has stood as the model for "getting tough on drugs." Under New York's drug laws, someone convicted of possessing as little as four ounces of a drug receives a mandatory sentence of 15 years to life. Even those who helped pass the Rockefeller era laws now have serious concerns that these laws have caused thousands of low-level and first-time offenders to be incarcerated at high cost for long sentences that are disproportionate to their crimes.

These concerns have hit home with the public and decision-makers. A recent poll by the New York Law Journal found that the citizens of New York increasingly support drug law reform. Editorial boards support such reforms. The Roman Catholic Bishops of New York, representing over 5 million New Yorkers, have called for changes to the sentencing laws within the current legislative year. This is one of the issues that is capable of unifying most Americans.

Last month, New York State's Chief Judge, Judith Kaye, proposed legislation to change the Rockefeller laws to allow appellate courts to reduce the statutory drug minimums, and to permit trial judges, with the prosecutor's consent, to defer prosecutions and place defendants into supervised treatment programs. The impetus for reform in New York has never been stronger.

Gov. George Pataki has advanced his own reform agenda, which is similar to Judge Kaye's, although somewhat more limited. Progress from

proposals to real reforms, however, seems to have slowed.

Arguments in support of the option of sweeping reform and the option of more modest change both seem compelling. The problem is that both of these options are largely focused on only one part of the larger question. The larger question we need to focus on is: "What is the most effective way to deal with the inter-related problems of substance abuse and the crime it generates?"

The Vicious Cycle

According to the 1998 Arrestee and Drug Abuse Monitoring (ADAM) report, roughly two-

of all untreated parolees with histories of cocaine or heroin use will return to drug use within just three months of release.

The current criminal justice system actually perpetuates the cycle of drugs and crime, providing four- to six-year "mid-crime-career" breaks during which the chronic drug and alcohol abusers are sent away to perfect their ugly trade and to learn even more dangerous criminal acts from those who have already moved up the hierarchy of criminal offenses.

Doing What Works

It is clear that we cannot arrest our way out of the problem of chronic drug abuse and drug-driven crime. We cannot continue to apply policies and programs that do not deal with the root causes of substance abuse and attendant crime. Nor should we expect to have the widespread societal support for our anti-drug programs if the American people believe these programs are unfair.

We must refocus our efforts toward those programs that work to actually cut crime and reduce drug use. We must build from these programs a system-wide approach to combating drug use throughout our entire criminal justice establishment. What is needed is smart drug policy linked to a flexible and rational criminal justice system. What matters is whether our system works to end the cycle of drug abuse and crime.

Drug courts offer nonviolent criminals with chronic drug and alcohol abuse problems supervised treatment in lieu of jail. Drug courts provide closer, more comprehensive supervision than other community-based programs. Drug courts have demonstrated the ability to reduce drug use and the crime it generates. In a study of eight jurisdictions with drug courts, all eight reported lower re-arrest rates for participants compared with non-participants. These courts also save taxpayer dollars.

To date, more than 100,000 individuals have entered a drug-court program, 70 percent of whom have either graduated or remain as active participants. Even with these growing markers of success, today's drug courts still only reach 1 to 2 percent of the population of nonviolent drug offenders.

We need to greatly expand the number of drug courts nationwide. Expansion is critical at the state and local levels, where the bulk of first-time offenders who have chronic drug and alcohol problems are first exposed to arrest and the threat of incarceration. Within this overall expansion, we need to dramatically increase the limited numbers of juvenile drug courts, of which there are currently only 37 in the nation. Working with juvenile offenders we can prevent the cycle of drugs and crime before the individual has been hardened by the system. Each young person we can divert from the cycle of drug abuse and crime literally saves a lifetime's worth of societal and personal human and economic costs.

The most comprehensive drug court program — Breaking the Cycle — integrates drug testing, assessment, referral, supervision, treatment and rehabilitation services into the criminal justice system. The program increases judicial oversight of arrestees with chronic drug problems and offers graduated sanctions for noncompliance, along

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Police try to keep the customers satisfied

Continued from Page 1
 per 1,000 compared with 59 per 1,000. Similarly, black residents in the cities were the victims of violence at a rate of 99 per 1,000 residents compared to 61 per 1,000 for white residents.

Blacks were also the victims of property crimes more frequently than whites.

Overall, white residents reported being more satisfied with their police departments than blacks or Asians. Twenty-four percent of blacks and 22 percent of other nonwhites said they were unhappy with their police, compared to just 10 percent of whites. In the majority of cities studied, the proportion of blacks who expressed dissatisfaction with police was double that of whites who felt the same way.

In New York, where police-minority relations have been increasingly fractious for the past few years, 89 percent of whites said they were satisfied with police, but the number dropped to 77 percent of black residents.

The largest disparity was found in Knoxville, where 91 percent of white residents said they were satisfied, but just 63 percent of blacks did. Police Chief Phil Keith said much of the disparity could be traced to a rash of police-involved deaths during the time the study was done.

"When the survey was done, it was the latter part of January, February, March 1998," Keith told Law Enforcement News. "We were on the hills for police-related deaths that occurred in the eight months prior to that."

In one incident, Keith recalled, a white man had broken into his ex-wife's home and threatened to set it on fire. Through a tap on the phone, he was heard to say that he wanted to be killed by the police and unfortunately, Keith said, got his wish.

A second case involved a black man who fired shots at a neighbor and then at police. He was killed by return fire. Then a mentally-ill African American man threatening suicide was fatally shot after an attempt by police to de-escalate the situation failed.

In the last police-involved incident, a black parolee with a degenerative heart condition fled after being pulled over for a traffic stop, and he subsequently died in police custody. A medical examiner's report, Keith said, showed that he could have died at any time.

"We had a City Council meeting where there were 300 representatives from the African American community who were very upset with us," Keith said. To address community concerns over the deaths, the department installed video cameras in patrol cars and developed a strategic plan that included a citizen review group, the Police Advisory Review Committee (PARC) which has worked very effectively, the Chief said. "Complaints are down," said Keith. "We just bridged a gap that existed."

While he acknowledged that in years past, there may have been some difference in the satisfaction ratings given the department by residents of the

black community and the city's white community, the gap was far less than the 28 percent revealed by the BJS survey. "I think if you did the survey today, you would find an entirely different rating," he said.

According to the study, there was not much difference in the level of satisfaction with police expressed by members of both the black and white communities in Kansas City, Mo. Ninety percent of white residents considered themselves well served by police, as did 86 percent of blacks. Chief Richard Easely pointed out that there are virtually no community meetings in the city that go unattended by police. There is also a far-reaching community policing program in place, he told LEN.

"I think we spend a lot of time in those neighborhoods working with leaders and community groups to try to be successful. I think that played a major role in the high rating," said Easely.

What is important, he said, is that the department try to be user-friendly. If there is a problem within the community, the department needs to be made aware of it, which means that there have to be open lines of communication. For example, Easely noted, in the area of narcotics trafficking, there has been cooperation between residents and the department to resolve criminal activities in those neighborhoods.

The agency that was the runaway leader when it came to satisfaction ratings among both blacks and whites was the Madison, Wis., Police Department.

An extraordinary 97 percent of the those queried in both groups expressed satisfaction with police. Nonwhites gave the department a satisfaction rating of 98 percent. Even those who had been victims of violent crimes, a category of citizens whom the study found to be less likely than others to be satisfied with police in each of the 12 cities, gave the Madison P.D. a 92-percent approval rating.

Police Chief Richard Williams said the success stems from a holistic philosophy the department practices, which calls for officers to be far less confrontational than police in just about any major-city law enforcement agency. The department even changed its working vocabulary to reflect this approach, replacing the term "interdicting" with "making contact." Many times, said Williams, the respectful attitude shown by Madison police officers will result in voluntary cooperation from "some pretty tough customers."

Some people criticized the agency when it used this approach to combat the city's crack cocaine problem, but Williams countered that the department got better results when it was less combative towards everyone, including drug offenders. "We get more compliance that way," he told LEN. "But we're not doing it just to get compliance, but the fact that it is a better policing set."

Williams noted that the Madison department is unusual in its high proportion of female officers, although the Chief stopped short of saying whether this in and of itself has anything to do

with the way the department approaches citizens.

Women comprise between 29 percent and 32 percent of the agency, which Williams said may be the highest level of any department in the nation.

Other policies that appear to set the department apart include a procedure whereby all arrestees being detained temporarily in police holding cells — regardless of the alleged offense — are visited by officers to check on their welfare and whether they were treated fairly and with courtesy, said Williams. "I think that when people come here, they tend to take on our behavior," he told LEN.

The Madison department also uses a geographic deployment strategy called Neighborhood Police Officer System in 15 communities that Williams refers to as "challenged." One officer is given sole "ownership" of an area to do more than just tactical police work, but instead to work in partnership with the neighborhood to identify the most pressing problems and how to resolve them. If it sounds like an ideal problem-oriented community policing program, it might be because Madison was among the first departments in the nation to put the concept into practice in the early 1980s.

The department's customer-oriented approach goes beyond trying to make sure people are happy, said Williams. "People here really want to do a good job, and they go to extraordinary means to do that."

Seeking answers, casting blame:

Cincy recruit failings: No 'simpel' matter

Continued from Page 1

The whole issue erupted because the recruits in question were very close to passing with the required 70 percent cumulative written score, said Schoch. Two of the four had grades of 69.2. "It's more important to me that they know the material than the numerical aspect of it. As far as I'm concerned, they would have to demonstrate competence in the area being tested on."

The four were allowed to retake their final, a move that the state allowed but nonetheless angered at least two of Schoch's staff enough for them to request transfers. Schoch said he was well within his rights to allow the retest and refuted claims that he changed the rules for the four. Two of them passed the new test, and the two who did not were terminated.

"As a director of the academy I had the option and the responsibility to assess the training and see if we are doing what we are supposed to be doing as a training organization and if the students are doing what they are supposed to be doing," he said. Based on the level of academic support the recruits received, an assessment of the test itself and the individual recruit performance, Schoch said he made the decision to give the four an opportunity to take the examination again.

As a result of the incident, the training academy is now basing graduation not just on the cumulative grade — recruits must also have a passing grade of at least 70 percent on the final exam. Moreover, Schoch will administer tests up until three days before graduation so that recruits have the full 22 weeks

to absorb their training. Their notebooks will be reviewed weekly and will comprise 10 percent of their grade, he said.

While requiring a college degree for all applicants is something that has been discussed, a writing test would at least ensure that candidates could write a sentence, said Heimlich. The inclusion of such a requirement, however, has been traditionally opposed by Civil Service, he noted.

Heimlich has asked that Safety Director Kent Ryan investigate and submit a report on whether testing abuses have been corrected. He has also requested a report addressing why a different standard was applied for the failing recruits.

The trainers themselves have been blamed by the Sentinel Police Association, a black officers' group of about 250 members. Det. Cecil Thomas, the organization's president, disputes the fact that the candidates, all of whom are black, failed. There was a portion of the training they had to retake, he insisted.

"We felt that the academy had not done all it could have done to get those recruits through," Thomas told LEN. "In all fairness to the recruits, they should have been given all opportunities to complete the process and they were given that opportunity and they passed."

In the past, Thomas said, several recruits have been given greater opportunities to complete portions of the training, including women who had to requalify at the range. "We knew there had been opportunities in the past for others," he said. The new staff at the

academy believes that at the end of the training all recruits must pass or be fired, Thomas asserted. "We knew that just wasn't the case in the past."

Thomas called Heimlich's proposal to require a writing test "ludicrous." There are officers who have been on the job for 15 years, he said, whose writing would probably not be much

different from that of a new recruit. "I don't think that should be a criteria in getting a recruit through," he said. "We all have trouble putting the comma in the right place. That's why we have secretaries and others to critique our stuff."

He added that the five had already passed all of the other components of the training and had been scrutinized

by Civil Service. Once that has occurred, Thomas said, recruits can expect to get through the process without any other obstacles.

But Schoch maintained: "We have a lot riding on these people. This isn't just people taking a test, this is a career. My attempt was to be completely and totally fair in judging this thing."

Policy & practice: Dallas switches gears to rein in response times

Dallas police officials hope to get emergency response times in the city back to within a goal range by reversing a 911 dispatch policy implemented last year and reassigning a greater number of patrol officers to respond to calls.

Through May 18 of this year, compared with the same period in 1998, response times for all calls rose by 48 percent. Police response to emergency calls went from 7.33 minutes to 8.09, an increase of more than 10 percent. For prompt response, including calls for major accidents, robberies and urgent situations, it took police 14.92 minutes to arrive at the scene, compared with 12.50 minutes in 1998, or 19.36 percent longer.

Police Chief Ben Click said he was glad that the increase in emergency response times had not been too drastic. The target range is between seven and eight minutes, although police officials in 1997 had aimed for an emergency response of six minutes per call.

Under a new strategy, 911 operators

dispatched calls immediately as a way of eliminating "call shopping," in which some officers would pick and choose which call they would respond to from the list of calls holding. The problem with that, however, is that it keeps police crisscrossing the city and wasting valuable time driving, said Senior Cpl. Glenn White, a patrol officer and president of the Dallas Police Association.

"In the past, they [dispatchers] would wait a moment so someone closer would clear and could take the call," he told The Dallas Morning News. "We all knew the response times were going up."

Shortly after the policy was implemented, police officials realized it was a mistake, said Chief Ben Click. "The officer is spending more time driving, and it's not time well spent."

Beyond discontinuing the policy, Click said he would ask the deputy chiefs in charge of the city's six patrol substations to consider adding additional officers from other assignments.

Department guidelines call for 1,040 officers to be answering calls.

Having more officers on patrol would improve response times, White agreed, asserting that Dallas has a lower percentage of officers responding to calls than many other big-city departments. Currently, there are 990 patrol officers, or 34 percent of the force, responding to calls. White contends that figure should be at about 50 percent.

Click told The Morning News that it would only take the reassignment of five or six officers to make a difference. "We do this all the time, pulling people back in or increasing the number of officers on special assignment," he said.

While emergency calls are the department's top priority, said Click, they do not always outrank special projects, such as an increased deployment of officers to focus on robberies or vehicle break-ins. "If we get a serial rapist in an area, that's probably going to be more important to people than someone breaking into a car," he said.

Tough talk on drugs is no longer enough

Continued from Page 8

with relapse-prevention training, skill building and help re-entering the mainstream community. The program screens arrestees for drug use within 48 hours of arrest. Those who test positive are offered treatment services. Most accept these services even before they ever appear in court. Since its inception in June 1997, 2,000 offenders have successfully completed Birmingham, Ala.'s, pilot Breaking the Cycle program as a condition of their release. To date, their re-arrest rate is about 1 percent. In Eugene, Ore., the model is being expanded to the juvenile offender population. We must accelerate the growth of such programs, particularly in those areas of the nation where they are needed most.

Most felons with chronic drug problems will eventually return to the general population. It is in the society's and the taxpayer's interest to help them overcome their drug addictions while they are under our strict oversight and control in prison.

The recently released study, "Narrow Pathways to Prison: The Selective Incarceration of Repeat Drug Offenders in New York State," showed that large numbers of criminals who were arrested for drugs had prior felony convictions. Among repeat offenders sentenced to imprisonment, two-thirds had prior convictions limited to solely drug offenses. (The study did not take into account the number of individuals whose crimes were drug-related, for example, crimes perpetrated to get money to buy drugs and crimes perpetrated while under the influence). However, few of these criminals ever received treatment for their underlying drug problems.

We should view the chronic drug abuser's recidivism as a failure, particularly if we made no effort to provide treatment for their drug problems. These criminals entered the justice system and we had the opportunity to protect ourselves by helping them break their drug habits. We failed to do so. This is a national social policy failure.

The gap between drug and alcohol

treatment needs and slots at the state-level is a guarantee of continuing destructive, disgusting criminal behavior by chronic drug and alcohol abusers when they return to our communities. We in the Federal system have a long way to go to close the criminal justice treatment gap as well. The total number of arrestees — Federal, state and local — who require drug treatment may be as high as 2 million a year. The overall number of criminal justice drug and alcohol treatment slots does not nearly reach this need.

From a taxpayer's cost-efficiency perspective, a year of outpatient treatment costs less than \$5,000. The cost of even more comprehensive residential treatment programs range from \$5,000 to \$15,000 per year. This cost is a far cry from the \$150,000 six-year bill the taxpayer foots for each jail term in an addicted criminal's usually unbroken cycle of crime, drugs and prison.

A Challenge at All Levels

At the Federal level, we recognize that we cannot simply arrest our way out of the problems posed by chronic substance abusers. Attorney General Janet Reno, Secretary of Health and Human Services Donna Shalala and the Office of National Drug Control Policy are now aggressively tackling the difficult policy issues that must be addressed in order to refocus the system.

We are changing our funding priorities to focus on reinforcing and promoting criminal justice programs that are proven effective in reducing drugs and crime. The Administration's FY2000 budget request seeks an additional \$100 million to provide assistance to state and local governments in developing and implementing comprehensive systems for drug testing, treatment and graduated sanctions for drug offenders. The request also seeks an added \$10 million for drug court programs, to bring the total support for these programs to \$50 million in FY2000.

Change at the Federal level is important, but it alone cannot drive the sweeping reforms needed to deliver

society-wide results. Given the nature of federalism, change at the state level offers the greatest opportunity to build a more effective national response.

Federal crimes tend to involve more seasoned, hardened criminals. Similarly, the amount of drugs involved in Federal cases tends to be greater. Programs at the state-level are more likely to reach the younger, lower-level first-time drug offender. Treatment and diversion programs have the best chance of success with these individuals who are less likely to be hardened criminals or chronic addicts.

If we are to change the way we deal with drugs and drug-related crime in the criminal justice system, the Federal Government must play a leadership role, but it will be up to the states and localities to implement this agenda. Most of us believe that we do not have a national drug problem — we have a series of local drug epidemics across the country.

A More Effective Approach

The following parameters should be considered as we seek to adopt more effective approaches to substance abuse and related crime:

Change perceptions: Too many people believe that drug treatment and diversion programs are somehow "soft" on crime. However, these programs are often as demanding of the individual as jail time. In fact, coerced abstinence programs are more successful than voluntary drug-treatment programs both in inducing chronic drug- and alcohol-abusing criminals to participate in treatment and in retaining these criminals in treatment. They succeed precisely because they are tough and hold the potential of strong sanctions for failure.

Build a system approach to drug use: The tendency of the criminal justice system is to focus on programs rather than system-wide policies and results. The result is that even with the current growth trends in this area, diversion and treatment programs will continue to reach only relatively small numbers of individuals. We must find ways to confront the drug-abusing of-

fender population as a whole. Our short-term goal must be to improve coordination and expand the reach of programs that work. However, we must quickly move beyond this to a more systemic approach. For example, we need to link family courts into the system of drug diversion and treatment. Research shows that substance abuse exacerbates seven of every 10 child abuse or neglect cases. In 1997, New York adopted the common-sense approach, which requires all parents appearing before the family court on abuse or neglect proceedings to be tested for drug use and referred to treatment under judicial supervision.

Develop firm but flexible approaches: Our current drug laws impose stiff mandatory sentences on those who break them. Clearly law enforcement requires tough sanctions for those who sell drugs. These sanctions provide an important tool for prosecutors, and the threat of tough sanctions can play an important role in coercing chronic drug and alcohol abusing criminals to get the help they need. However, mandatory sentencing ties the hands of judges too tightly and prevents them from exercising discretion and good judgment. Initiatives such as drug courts and Breaking the Cycle allow judges greater flexibility — within the parameters of proven-effective drug treatment programs — to impose sentences that will actually have an impact on drug use and crime.

Increase the reach of reform: Diversion and treatment programs for drug- and alcohol-addicted criminals must become as widespread and accepted as the use of counseling and education programs for drunk drivers. Some localities may even want to require drug offenders who can afford to pay for the program to do so — saving limited treatment dollars for those who legitimately cannot pay. The greater the number of drug and alcohol abusing criminals we place in these programs, the larger the benefit will be to our society. The more we cast the net of drug treatment across the criminal justice system, the greater the dividend we can expect to receive back in lower crime and drug use. Our purpose is to create a comprehensive system that follows the criminal with a chronic drug and alcohol problem from the moment of arrest to post-release follow-up. Such a system is the best tool to reduce drug-related crime.

Implement integrated, comprehensive and effective programs: Many of today's drug diversion programs at the state and local levels are not systematized. No standing system administers regular drug tests and provides counseling under a court's supervision. Instead, the system is done ad hoc as the judges and prosecutors — and already over-booked dockets — struggle to cope with thousands of drug-addicted criminals windmilling through the jail and prison system. For these criminal justice systems to work, they must be supported by drug and alcohol treatment programs that have been proven effective. These treatment programs must be integrated into the criminal justice system so that judges and prosecutors see them as part of their effective arsenal against crime — not as an effort to put a soft touch on an otherwise hard system.

Expand early intervention: The earlier a drug-using person can be

guided toward help, the more effective such treatment is likely to be. It is critical that we develop and expand treatment alternatives to incarceration within the juvenile justice system. If we can divert a youth before he is caught in the cycle of drugs and crime, we will substantially reduce the human and fiscal burdens on our society.

Understand the relapsing nature of substance abuse: Breaking a drug habit is tough. We should expect and confront relapse. While we need to respond to back-slipping, we must also focus on our end goals: breaking the person's drug habit to stop them from returning to drug use and crime. Within diversion and treatment programs there is the need for strong criminal justice sanctions to encourage offenders to stick with the program. However, such sanctions should not unwittingly prevent further treatment or push the individual back to the cycle of drugs and crime. Instead, these sanctions must be graduated, flexible and take into account both the nature of the individual's criminal conduct and the overall potential for rehabilitation through treatment.

Focus on drug prevention to cut crime: Studies show that young people who use drugs are more likely to get into trouble with the law. The linkage between youth drug use and juvenile crime is both clear and undeniable. Drug prevention is crime prevention. Without a focus on prevention, there can be no comprehensive state-level response to drugs and crime.

Commit the required resources: Drug treatment, Breaking the Cycle and drug-court programs are cost-effective, but they aren't free. In order to effectively address the problems of drugs and crime we need to commit the necessary financial resources and political capital. If each state devoted just an additional one-tenth of its prison construction funds to treatment, Breaking the Cycle and drug-court programs, we could make a tremendous difference.

The corrections profession and drug and alcohol treatment professions must work together to reduce drug abuse among offenders in order to reduce crime. It is possible to break the tragic cycle of drugs and crime by reducing drug consumption and recidivism rates among those involved in the criminal justice system. We can slow and eventually reverse the trend that has resulted in hundreds of thousands of additional Americans behind bars. The end result will be fewer addicts and drug users, less demand for drugs, less drug trafficking, less drug-related crime and violence, and fewer people locked up.

We can only succeed if we remained focused on the desired outcomes. We seek nothing less than a significant decrease in the incidence of substance abuse in our country. Four million Americans constitute the total U.S. chronic drug-user population. They consume the majority of the cocaine, heroin, methamphetamine and marijuana consumed in the United States. They are responsible for a disproportionate amount of violent and property crimes. They are sick, miserable and often dangerous. We have an opportunity to help them break away from their addictive habits while they are under the control of the criminal justice system.

We need a public policy that results in fewer addicts, less substance abuse and less crime in America.

Another Minneapolis police van shows unexpected get-up-and-go

The sudden acceleration of a Minneapolis police detox van in June may shed new light on why another of the agency's vans unexpectedly took off last December, plowing into a holiday parade crowd and killing two people and injuring 11 others.

While officials from the National Highway Traffic Safety Administration and the State Patrol lay much of the blame for last year's accident on the inadvertent disabling of the van's shift-lock mechanism, police officials said the mechanism, which prevents a vehicle from being shifted out of "Park" unless the brake is depressed, was not the cause of the most recent incident.

In fact, the accident in June supports a theory put forth by a mechanic hired to recreate the accident involving Officer Thomas Sawina. Ice can apparently form on the throttle plate, a valve inside the engine, even when the outside temperature is above freezing, said the mechanic, John Sandeen.

The process is similar to refrigeration. "If you get proper conditions of

humidity, temperature and air pressure combined, you get ice forming," Sandeen told The Minneapolis Star Tribune. "Ice, if it forms, can cause that throttle plate to jam open. If it jams open, that's full acceleration."

The earlier accident took place during the city's Holidazzle parade on Dec. 4 when Sawina partly seated himself in the detox van, which was running, and shifted it into gear, intending to pull the vehicle up a few feet. Instead, the van accelerated and hit a 35-year-old woman, Denise Keenan, and her 5-month-old great-nephew. Eight lawsuits have been filed so far against the city and the Downtown Council, which organized the parade. City officials have also been notified of two other suits.

Sawina insisted that he braked, but could not stop the van. Although safety officials concluded that he must have stepped on the accelerator thinking it was the brake, the latest incident lends credence to his claim.

In the June incident, Officer Mike Frye was driving another detox van

when he said the vehicle took off with his foot on the brake and lurched about three feet forward, according to police. In a prepared statement, Frye said: "The van made a loud pop noise as if the vehicle had kicked into high gear. The engine began to race at a high RPM. The tires began spinning rapidly and the van lunged forward about 3 feet."

Frye said he stood on the brake and threw the vehicle into neutral. No one was injured in the incident.

Frye's statement is similar to that given by Sawina, who also reported hearing a loud noise that sounded like the revving of an engine before the vehicle accelerated.

Police said he was following instructions given to officers after the earlier accident regarding how to shut down an out-of-control vehicle. Both vans were Ford Econoline E-250s, one a 1997 model and the other a 1998.

Jim Moore, an assistant city attorney, said the city is looking into the possibility that the same problem could have contributed to both accidents.

Upcoming Events

SEPTEMBER

- 13-17. Investigation of Motorcycle Accidents. Presented by the Institute of Police Technology & Management. Phoenix. \$525.
- 13-17. Leading Law Enforcement into the 21st Century. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525.
- 13-17. Advanced Gang Investigation. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$550.
- 13-17. Law Enforcement Ethic: Train the Trainer. Presented by the Southwestern Law Enforcement Institute. New Braintree, Mass. \$495.
- 13-17. SWAT I: Basic Tactical Operations & High-Risk Warrant Service. Presented by the International Association of Chiefs of Police. Chesterfield, Va. \$495.
- 13-Oct. 22. Program in Delinquency Control. Presented by the Delinquency Control Institute. Los Angeles. \$4,300.
15. Handcuffing Instructor & Instructor Re-certification. Presented by R.E.B. Training International. Newport, R.I. \$220.
- 15-17. Cultural Awareness: Train the Trainer. Presented by the International Association of Chiefs of Police. Aurora, Colo.
16. Managing a 911 Center. Presented by the New England Institute of Law Enforcement Management. Wellesley, Mass.
16. OCAT Instructor Course & Instructor Re-certification. Presented by R.E.B. Training International. Newport, R.I. \$220.
- 16-17. Tracing Illegal Proceeds. Presented by the Investigation Training Institute. New York.
- 16-17. Performance Appraisal. Presented by the International Association of Chiefs of Police. St. Louis.
19. OCAT Instructor Course & Instructor Re-certification. Presented by R.E.B. Training International. East Windsor, Conn. \$220.
- 20-21. Excellence in the FTO Program. Presented by the International Association

- of Chiefs of Police. Spokane, Wash.
- 20-22. Investigative Techniques for Gang-Related Homicides. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$395.
- 20-22. Advanced Supervision Skills. Presented by the International Association of Chiefs of Police. St. Peters, Mo.
- 20-22. Civil Disorder Resolution II: Command Strategies. Presented by the International Association of Chiefs of Police. Albuquerque, N.M.
- 20-24. Police Executive Development: The Pursuit of Quality. Presented by the Southwestern Law Enforcement Institute. Dallas. \$495.
- 20-24. Police Applicant Background Investigation. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525.
- 20-24. Narcotic Identification & Investigation. Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525.
- 20-24. SWAT II: Advanced Tactical & Hostage Rescue Operations. Presented by the International Association of Chiefs of Police. Calgary, Alberta.
- 21-23. Suicide & Law Enforcement. Presented by the Behavioral Science Unit, FBI Training Division. Quantico, Va.
22. Managing Marginal Employees. Presented by the New England Institute of Law Enforcement Management. Wellesley, Mass.
- 22-23. Hardball Budgeting. Presented by the New England Institute of Law Enforcement Management. Wellesley, Mass.
24. Raid Planning. Presented by the New England Institute of Law Enforcement Management. Wellesley, Mass.
- 24-27. Emergency Medical Care. Presented by the Executive Protection Institute. Berryville, Va. \$995.

An ounce of protection for young witnesses

Hoping to fill a gap in the justice system while at the same time encourage the testimony of juvenile witnesses to crimes, legislation has been proposed in Congress that would establish a Justice Department grant program to provide safe houses and other services for teen-agers threatened with retribution.

The Protecting Young Witnesses Act of 1999, sponsored by Representative Michael Capuano (D-Mass.), would create a three-year grant program with an appropriation of \$15 million for each fiscal year from 2000 to 2002. The bill would give state and local criminal justice authorities the ability to develop juvenile witness assistance programs tailored to their communities, including the creation of safe houses, counseling services and tutoring systems.

In addition, Capuano has proposed amending the Consequences for Juvenile Offenders Act of 1999, allowing states to tap into its \$500-million block grant for a wide array of activities including the hiring of additional prosecutors to handle more cases involving adolescents and establishing a gun court for juvenile firearms offenders.

"States and municipalities cannot do it alone," Capuano said. "The Federal Government can and should provide the funding mechanism to establish assistance for young witnesses. This will

encourage more young people to come forward and help law enforcement authorities."

The legislation was prompted by threats made against the life of a 14-year-old Boston boy, Jason Sandler, who came forward after three neighborhood friends allegedly robbed a Northeastern University student in February. Soon after, Sandler's family learned the state had no program to protect young witnesses in his situation. Sandler is being kept out of school in a makeshift safe house, guarded by relatives.

The Sadlers' predicament underscores the need for legislation protecting young witnesses, said Capuano. "These threats are not jokes," he said during a press conference announcing his proposals. "It could happen again."

Amending the Consequences for Juvenile Offenders Act would get money to the states sooner because it is further along in the legislative process, said Capuano.

He was joined at Boston Police Headquarters by Mayor Thomas Menino and district attorneys from Middlesex and Norfolk counties. Said Martha Coakley, the Middlesex District Attorney: "Sometimes with juveniles, it's like the old Mafia. Unless you can get someone to turn and promise to keep them safe, you don't have a case."

For further information:

Addresses & phone/fax numbers for organizations listed in calendar of events.

Behavioral Science Unit, FBI Training Division, Attn.: SSA Donald C. Sheehan, FBI Academy, Quantico, VA 22135. Johns Bluff Rd So., Jacksonville, FL 32216. (904) 646-2722.

Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727. (800) 323-0037. Fax: (708) 498-6869. E-mail: Seminar@CalibrePress.com.

Criminal Justice Institute, College of Lake County, 19351 W. Washington St., Grayslake, IL 60030-1198. (847) 223-6601, ext. 2937. Fax: (847) 548-3384. E-mail: rubel@clc.cc.il.us.

Crisis Prevention Institute, 3315 K North 124th St., Brookfield, WI 53005. 1-800-558-8976. Fax: (414) 783-5906. E-mail: info@crisisprevention.com. Web: <http://www.crisisprevention.com>.

Dallas Children's Advocacy Center, PO Box 720338, Dallas, TX 75372-0338. (214) 818-2600. Fax: (214) 823-4819.

Delinquency Control Institute, P.O. Box 77902, Los Angeles, CA 90099-3334. (213) 743-2497. Fax: (213) 743-2313.

Executive Protection Institute, Journey's End, P.O. Box 802, Berryville, VA 22611 (540) 955-1128.

Institute of Police Technology & Management, University of North Florida, 4567 St

International Association of Chiefs of Police, P.O. Box 90976, Washington, DC 20090-0976. 1-800-THE IACP. Fax: (703) 836-4543. Web: <www.theiacp.org>.

Investigation Training Institute, P.O. Box 770579, Orlando, FL 32877-0579. (407) 816-7273. Fax: (407) 816-7232. Web: <www.investigationtraining.com>.

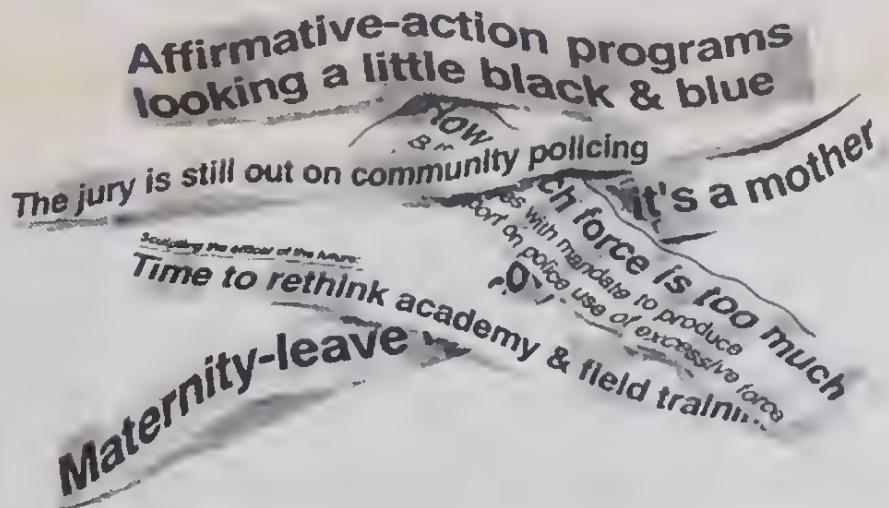
New England Institute of Law Enforcement Management, P.O. Box 57350, Babson Park, MA 02157-0350. (617) 237-4724. Web: <http://www.tiac.net/users/gburke/neilem.htm>.

R.E.B. Training International Inc., P.O. Box 845, Stoddard, NH 03464. (603) 446-9393. Fax: (603) 446-9394.

Southwestern Law Enforcement Institute, P.O. Box 830707, Richardson, TX 75083-0707. (972) 664-3471. Fax: (972) 699-7172. Web: <http://web2.airmail.net/sli/sli.html>.

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How do you plan to deal with the Y2K computer problem?



The search for answers starts on Page 1.

Dove-like talk from the nation's top anti-drug hawk?

Find out why drug czar Barry McCaffrey is endorsing treatment alternatives to prison to break the cycle of drugs & crime.
Forum, Page 8.

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What They Are Saying:

"We all have trouble putting the comma in the right place. That's why we have secretaries and others to critique our stuff."

— Det. Cecil Thomas, president of Cincinnati's Sentinel Police Association, criticizing a City Councilman's proposal to require a writing test of police applicants. (Story, Page 1.)